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From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

Ungerer, Olaf
EISENFÜHR, SPEISER & PARTNER

Association No. 15

Arnulfstrasse 25

D-80335 München

ALLEMAGNE

19.05.2004

MÜNCHEN

09.06.04

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 71.1)

Date of mailing
(day/month/year)

18.05.2004

Applicant's or agent's file reference
NM5185 - 01WO

IMPORTANT NOTIFICATION

International application No.

PCT/EP 02/00548

International filing date (day/month/year)

21.01.2002

Priority date (day/month/year)

21.01.2002

Applicant

NOKIA CORPORATION

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international
preliminary examining authority:European Patent Office - Gitschiner Str. 103
D-10958 Berlin
Tel. +49 30 25901 - 0
Fax: +49 30 25901 - 840

Authorized Officer

Tsogka, P

Tel. +49 30 25901-727





INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference NM5185	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/EP 02/00548	International filing date (<i>day/month/year</i>) 21.01.2002	Priority date (<i>day/month/year</i>) 21.01.2002
International Patent Classification (IPC) or both national classification and IPC H04L29/06		
Applicant NOKIA CORPORATION		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the opinion</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>

Date of submission of the demand 18.08.2003	Date of completion of this report 18.05.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office - Gitschiner Str. 103 D-10958 Berlin Tel. +49 30 25901 - 0 Fax: +49 30 25901 - 840	Authorized Officer Tous Fajardo, J Telephone No. +49 30 25901-489 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/EP 02/00548

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-13 as originally filed

Claims, Numbers

1-36 as originally filed

Drawings, Sheets

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/EP 02/00548

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	2-20, 22-31, 33-36
	No: Claims	1, 21, 32
Inventive step (IS)	Yes: Claims	
	No: Claims	1-36
Industrial applicability (IA)	Yes: Claims	1-36
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following document:

D2: WO 98 33342 A (LEITGEB MANFRED ;BECHER REINHARD (DE);
SIEMENS AG (DE)) 30 July 1998 (1998-07-30)

1) The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1, 21 and 32 is not new in the sense of Article 33(2) PCT.

1.1) The document D2 discloses (the references in parentheses applying to this document) a method of changing a subscription information of a subscriber in a data network, comprising the steps of:

- a) detecting a change in said subscription information of said subscriber (see page 10, lines 16-18; when the terminal moves, the VLR receives subscription information regarding additional services from the HLR; this subscription information is "new" for the VLR, so it can be interpreted as a change)
- b) checking whether a capability of a network element serving a terminal device of said subscriber is still in accordance with said changed subscription information (see page 11, lines 7-8; the network element M-SSP1 serving the terminal device cannot cope with the additional services)
- c) initiating in response to the result of said checking step a registration procedure for registering said terminal device of said subscriber to a new serving network element (see page 11, lines 9-20; a second network element M-SSP2 is selected; it is clear that in order to get the additional service from M-SSP2 a "registration" to M-SSP2 is needed)

The subject-matter of **claim 1** is therefore not new (Article 33(1) and (2) PCT).

1.2) The system **claim 21** and the subscriber database **claim 32** correspond to the method claim 1. D2 also discloses a system to carry out the method as defined by the technical features of claim 1, and the corresponding database. Therefore, the subject-

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/EP02/00548

matter of claims 21 and 32 is not new (Article 33(1) and (2) PCT).

2) Dependent **claims 2-20, 22-31 and 33-36** do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty (Article 33(2) PCT) and/or inventive step (Article 33(3) PCT), because they are disclosed in D2 or are obvious to the skilled person.

3) The application does not meet the requirements of Article 6 PCT, because claims 1, 21 and 32 are not clear.

3.1) The terms "registration" and "serving network element" used in claims 1, 21 and 32 are vague and unclear and leave the reader in doubt as to the meaning of the technical features to which they refer, thereby rendering the definition of the subject-matter of said claims unclear, Article 6 PCT.

These terms can be interpreted in several different ways. At least one of them (see paragraph 1 in this report) renders the subject-matter of claims 1, 21 and 32 not new (Article 33(2) PCT).